

RECEIVED
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

GREGORY NILES BARTLETT

Write the full name of each plaintiff.

____ CV ____
(Include case number if one has been assigned)

-against-

TRIBECA LEASING CORP.
FRANKLIN MORTGAGE
- ASSET TRUST 2009A

COMPLAINT

Do you want a jury trial?
☒ Yes ☐ No

Write the full name of each defendant. If you need more space, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed above must be identical to those contained in Section II.

TRIBECA LEASING CORP. & FRANKLIN MORTGAGE
ASSET TRUST 2009A.

NOTICE

The public can access electronic court files. For privacy and security reasons, papers filed with the court should therefore *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number. See Federal Rule of Civil Procedure 5.2.

I. BASIS FOR JURISDICTION

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation, and the amount in controversy is more than \$75,000, is a diversity case. In a diversity case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal-court jurisdiction in your case?

- ☒ Federal Question *12B-1*
- ☐ Diversity of Citizenship

A. If you checked Federal Question

Which of your federal constitutional or federal statutory rights have been violated?

12B-1 12B-2 12B-4, 12B-5, RULE 4E-1
RULE 60B-4
LACK OF JURISDICTION
VOID JUDGMENT.

B. If you checked Diversity of Citizenship**1. Citizenship of the parties**

Of what State is each party a citizen?

The plaintiff, _____, is a citizen of the State of _____
 (Plaintiff's name)

 (State in which the person resides and intends to remain.)

or, if not lawfully admitted for permanent residence in the United States, a citizen or subject of the foreign state of _____

 If more than one plaintiff is named in the complaint, attach additional pages providing information for each additional plaintiff.

If the defendant is an individual:

The defendant, _____, is a citizen of the State of _____
(Defendant's name)

or, if not lawfully admitted for permanent residence in the United States, a citizen or subject of the foreign state of _____

If the defendant is a corporation:

The defendant, _____, is incorporated under the laws of the State of _____

and has its principal place of business in the State of _____

or is incorporated under the laws of (foreign state) _____

and has its principal place of business in _____

If more than one defendant is named in the complaint, attach additional pages providing information for each additional defendant.

II. PARTIES

A. Plaintiff Information

Provide the following information for each plaintiff named in the complaint. Attach additional pages if needed.

<u>GREGORY</u>	<u>MILES</u>	<u>BARTLETT</u>
First Name	Middle Initial	Last Name
<u>9903</u>	<u>212th</u>	<u>APT 2B</u>
Street Address		
<u>QUEENS VILLAGE</u>	<u>NEW YORK</u>	<u>11429</u>
County, City	State	Zip Code
<u>347 223 6170</u>	<u>GREG10037@gmail.com</u>	
Telephone Number	Email Address (if available)	

B. Defendant Information

To the best of your ability, provide addresses where each defendant may be served. If the correct information is not provided, it could delay or prevent service of the complaint on the defendant. Make sure that the defendants listed below are the same as those listed in the caption. Attach additional pages if needed.

Defendant 1:

TRIBECA LENDING CORP
 First Name Last Name

 Current Job Title (or other identifying information)

101 HUDSON ST NEW JERSEY
 Current Work Address (or other address where defendant may be served)
 County, City State Zip Code 07302

Defendant 2:

FRANKLIN MORTGAGE ASSET TRUST
 First Name Last Name
 Current Job Title (or other identifying information)

2009 A
101 HUDSON ST NEW JERSEY
 Current Work Address (or other address where defendant may be served)
 County, City State Zip Code 07302

Defendant 3:

 First Name Last Name

 Current Job Title (or other identifying information)

 Current Work Address (or other address where defendant may be served)

 County, City State Zip Code

Defendant 4:

First Name

Last Name

Current Job Title (or other identifying information)

Current Work Address (or other address where defendant may be served)

County, City

State

Zip Code

III. STATEMENT OF CLAIM

Place(s) of occurrence: NEW YORK, N.Y.

Date(s) of occurrence: JUNE 25, 2008

FACTS:

State here briefly the FACTS that support your case. Describe what happened, how you were harmed, and what each defendant personally did or failed to do that harmed you. Attach additional pages if needed.

TRIBECA LENDING CORP & FRANKLIN MORTGAGE FAILED TO OBTAIN SUBJECT MATTER JURISDICTION OVER ME, PURSUANT TO 12B-1, 12B-4, 12B-5, RULE 4-E-1, DEFENDANTS FAILED TO FOLLOW STATE PROCESS OF SERVICE LAW CPLR-308(4), MAIL & MAIL. PURSUANT TO FEDERAL RULE 4-E-1, 12B-5 EXHIBIT DA-28, SHOW SUMMONS & COMPLAINT WAS MAILED OVER ONE YEAR LATER. STEP TWO, PROVING LACK OF JURISDICTION!
VOID JUDGMENT.

SEE NISTON ATTACHMENT DATED OCTOBER 31, 2021

THE MAILING OF THE SUMMONS AND COMPLAINT WAS UNTIMELY, DEFENDANTS PURSUANT 12(B)-4 & 5 NEVER FILED PROOF OF SERVICE IN THE COUNTY CLERK DESIGNATED IN THE SUMMONS & COMPLAINT. THE DEFENDANTS NEVER PROPERLY NOTIFY ME OF LAWSUIT. THE FAILED TO OBTAIN SUBJECT MATTER JURISDICTION INJURIES: OVER ME.

If you were injured as a result of these actions, describe your injuries and what medical treatment, if any, you required and received.

I WAS EVICTED FROM MY HOME & AND PROPERTY SOLD. NO SLEEP NO SET, CAN'T PROVIDE FOR MY WIFE, ARTICLE II

IV. RELIEF

State briefly what money damages or other relief you want the court to order.

DISMISS FORECLOSURE ACTION PURSUANT TO VOID JUDGMENT, 12B1, 12B5 LACK OF JURISDICTION NO SUBJECT MATTER JURISDICTION ~~AND~~ SET ASIDE FORECLOSURE SALE.

SEE MISTON ATTACHMENT DATE OCTOBER 31, 2021 Page 9

V. PLAINTIFF'S CERTIFICATION AND WARNINGS

By signing below, I certify to the best of my knowledge, information, and belief that: (1) the complaint is not being presented for an improper purpose (such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation); (2) the claims are supported by existing law or by a nonfrivolous argument to change existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Federal Rule of Civil Procedure 11.

I agree to notify the Clerk's Office in writing of any changes to my mailing address. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Each Plaintiff must sign and date the complaint. Attach additional pages if necessary. If seeking to proceed without prepayment of fees, each plaintiff must also submit an IFP application.

Dated Nov 3, 2021
 Plaintiff's Signature [Signature]
 First Name GREGORY Middle Initial Miles Last Name BARTLEY
 Street Address 99-03 210th St. Apt 2B
QUEENS VILLAGE 11429
 County, City State Zip Code
 Telephone Number 347-223-6100 Email Address (if available) GRE910037@GMAIL.COM

I have read the Pro Se (Nonprisoner) Consent to Receive Documents Electronically:

☒ Yes ☐ No

If you do consent to receive documents electronically, submit the completed form with your complaint. If you do not consent, please do not attach the form.

).

October 31, 2021

99-03 212th street, Apt 2B

Queens New York 11429

347-723-6170.

RECEIVED
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**Application Pursuant to Court order dated January 29, 2016,
seeking Permission to file this new complaint. LACK OF
JURISDICTION/ 12(B)(1). RULE 60(B)(4**

**UNITED STATES DISTRICT COURT SOUTHERN DISTRICT NEW
OF YORK.**

VOID JUDGMENT.

12(B)(1) 12(B)(4) 12(B)(5) 12(B)(2) 60(B)(4) CPLR 308(4).

**RE; Article III. my property was sold without jurisdiction
this is my injury.**

**RE: A void judgment is a simulated judgment devoid of any
potency because of jurisdictional defects only, In the court
rendering it and defect of jurisdiction may relate to a parties or
party. The Subject Matter, this question to be deteremine.**

**Davidson Chevrolet, Inc, v. City and County of Denver, 330
P.2d 1116, certiorari denied 79 S .Ct.609, 359 U.S. 926, 3 L.Ed.
2d 629 (Colo. 1958.**

**RE; Void judgment may be defined as one in which rendering
court lacked subject matter jurisdiction, lacked personal
jurisdiction or acted in manner inconsistent with due process
of law. Eckel v. MacNeal, 628 N.E. 2d 741 (Ill. App. Dist 1993).**

RES JUDICATA/VOID JUDGMENT.

RE; A “Void Judgment” as we all know, grounds no rights, forms no defense to actions taken there under, and is vulnerable to any collateral attack (thus here, by). No statute of limitations or repose runs on it’s holding, matters thought to be settled thereby are NOT RES JUDICATA. 10/13/58 FRITTS v. KRUGH. SUPREME COURT OF MICHIGAN, 92 N.W. 2d 604, 354 Mich.97.

RE; Res Judicata will not be applied to a void judgment which is one, from its inception, is a complete nullity and without legal effect. Allcock v. Allcock, 437 N.E. 2d 392 (Ill. App. 3 Dist. 1982.

NOTE: I never asked this court to review the supreme court’s judgment entered in September 10, 2008, in my last motion dated April 15, 2021, but even if I did ask, it would have been ok, why ? **Res Judicata does not apply to a void judgment, where the court that rendered the judgment had no jurisdiction.**

Dear Chief judge LAURA TAYLOR SWAIN;

I ask for permission to file this complaint in this 2007 foreclosure action, where the state court **violated my rights and never had jurisdiction pursuant to 12(B)(1), to render judgment against me.** This is a violation of my constitutional rights preserved by the 14th amendment. A court must have jurisdiction to render and enforce a judgment. I ‘am **not asking this federal court to review the state court judgment, because the federal court has advised the plaintiff that the (Rooker-Feldman doctrine prohibits federal courts from deciding cases brought by state court losers,** This is true. But pursuant to **Rule 60(B)(4),** A party can bring an independent action to vacate the judgment. I now raise

this independent action and to challenge the states court's jurisdiction to render judgment. Proof of **jurisdiction must appear on the Record. Once the court has knowledge that Subject Matter is lacking, The court has no discretion but to dismiss the case,** below are MY **federal constitutional rights that were violated.**

12(B)(1) 12(B)(4) 12(B)(5) 60(B)(4) 12(B)(2) CPLR 308(4). Rulr 4(E)(1).

I now bring these **federal constitutional rights, and federal statutory rights to challenge the jurisdiction of the supreme court.**

In any judicial proceeding, the moving party has the burden of proof of demonstrating that the court has **Subject Matter Jurisdiction over the matters and the parties.** I ask this federal court to bring the defendants to court and allow them to demonstrate on the **RECORD, how the court has jurisdiction over the subject matter and the parties.**

New York Court of Appeals,

Without proof of service, the court is unable to determine wheather the motion is valid or not.

It is well settled, once jurisdiction is challenged, it must be decided on the RECORD, and NOT ASSUMMED.

Proof of no jurisdiction/Lack of jurisdiction.

Only 4 exhibits prove **the supreme court has no jurisdiction over the subject matter or the parties pursuant to,**

12(B)(4) 12(B)(5) Rule 4(E)(1).

EXHIBITS DA-14 DA-26 DA-27 DA-28.

The defendants failed to obtain (Subject Matter JURISDICTION) OVER ME PURSUANT TO NON COMPLIANCE TO RULE 4(E)1, and 12(B)(5). Nail and Mail. CPLR 308(4).

THIS IS A JURISDICTIONAL DEFECT.

The defendants process server stated on his affidavit dated May 16, 2007 and filed on May 17, 2007 which is **exhibit DA-27**.

Holding: Harry Torres came to my home on May 12, 2007 at 7:39 and **affixed to my door SUMMONS and COMPLAINT**.

CPLR 308(4) Hold:

Where service under paragraphs one and two cannot be made with **due diligence**, by **affixing the summons to the door of either the dwelling place or usual place of abode**. Such affixing and **mailing** to be effected within **TWENTY DAYS** OF each other, Proof of such service shall be filed with the clerk of the court designated in the summons within **Twenty days of each other**. Service shall be complete ten days after such filing.

DEFENDANTS failed to comply with service requirements of 12(B)(5) and RULE 4(E)(1), CPLR 308(4). .

The defendants failed to perform step 2 of CPLR 308(4) by **NOT mailing the summons and complaint** and failed to file **PROOF of**

service with the court indicating that the summons and complaint was mailed within the time allowed. This failed service is a **Jurisdictional defect**. The state court lacked jurisdiction over me when the judgment was rendered and violated my federal constitutional rights Pursuant to 12(B)(5) 12(B)(4) RULE 4(E)(1).

See the RECORD, **Exhibit DA-14**, nothing is found attesting to the mailing of the summons and complaint, OR no proof of service filed within **TWENTY DAYS** as required by the statutes and there is no affidavit of service that establish that the summons and complaint was properly mailed within 20 days to **obtain Subject matter jurisdiction over me**, and to establish proper service.

NOTE: Jurisdiction is NOT ACQUIRED pursuant to CPLR 308(4) unless both (affixing to the door and mailing requirement has been (strictly complied with). New York Court of Appeals.

NOTE: The defendant's affidavit dated May 16, 2007 and filed May 17, 2007 **did not indicate** that the summons and complaint had been mailed out by **June 1, 2007**, when it was **mailed.**

According to the **Furey v Milgrom Court, only** upon the performance of both acts may the claim be deem interposed.

In the **Furey v Milgrom Court** the law HOLD:

Service pursuant to **nail** and **mail** CPLR 308(4). **TWO STEPS** are contemplated by this form of service.

First: the summons must be attached to the door of the defendant's actual place of dwelling or usual place of abode.

Secondly: a copy of the summons must be mailed to the last known address.

SECOND DEPT HOLD;

FAILURE TO PERFORM EITHER STEP RESULT IN LACK OF JURISDICTION. This is a jurisdictional defect.

The defendants failed to perform step 2 pursuant to **12(B)(5), Rule 4(E)(1), 12(B)(4)** and failed to **obtain jurisdiction over me**. This is insufficient notice of the lawsuit and a **due process violation**.

; T he Appellate Division in **Estate of Norman Perlman v Kelley, 2019 NY Slip Op 06475. Second Dept 9-11-2019**. HOLD:

Failure to timely mail the summons and complaint after service pursuant CPLR 308(2) and 308(4) is a **JURISDICTIONAL DEFECT**.

Defendants failed to **obtain jurisdiction** in this foreclosure action.

Because the defendants failed to perform step 2 pursuant to CPLR 308(4) and **Rule 4(E)(1)** mail the summons and complaint, the court **lack jurisdiction**. Defendants only filed 3 affidavits pursuant to Service of process **exhibit DA-26 DA-27 DA-28**. None of these affidavits demonstrated that the summons and complaint was mailed within 20 days pursuant to cplr 308(4). And **RULE 4(E)(1)**.

AFFIDAVIT DA-28

This affidavit **DA-28** was never **entered** in the County Court designated in the summons and complaint but rather in Richman County. The law suit which is New York County, this affidavit **DA-28** is required to be **entered and filed with the designated court in the summons and complaint New York County** pursuant to CPLR 308(4). as the other affidavits were filed. State law and Federal law pursuant to **RULE: 4(I)** requires that the proof of service must be filed with the county clerk designated in the summons, and this **affidavit DA-28** was not filed or entered to the court designated in the summons and complaint as required by **Rule 4(I)**.

this affidavit **DA-28** has established that the mailing **requirement** pursuant to CPLR 308(4) and **Rule 4(E)(1) and 12(B)(4) 12(B)(5)** is untimely,

Feinstein v. Bergner.

New York Court of Appeals, Held. A party receiving actual notice of the suit does **not cure the defect**, since **notice received by means other than those authorized by statute** cannot serve to bring a defendant **within the jurisdiction of the court.** As the defendant's fraudulent affidavit (**DA-28**) has establish, that the

summons and complaint was mailed on June 18, 2008, proving the **second step** pursuant to CPLR 308(4) **the mailing requirement was mailed over one year later from** May 12, 2007, the dated the summons and complaint was **affixed to my door**. Here the defendants failed to obtain jurisdiction over me, and to establish proper service pursuant to **12(B)(5)**. This is a **jurisdictional defect**. The New York Court of Appeals has **held : jurisdiction** is not **acquired** pursuant to CPLR 308(4) unless the **delivery and the mailing has been (strictly complied with)**. I ask this federal Court to dismiss this foreclosure action where the defendants failed to **obtain jurisdiction over me**, and the affidavits have establish insufficient service of process **pursuant to CPLR 308(4) and 12(B)(5) Rule 4(E)(1) 12(B)(4)**.

the defendants have a **void judgment and insufficient service of process** pursuant to RULE: **12(B)(5)**, and **insufficient process** pursuant to **12(B)(4) and never obtained jurisdiction over me** and never demonstrated proper service,

Courts have held that jurisdiction is “ the very bedrock of **due process**” **without proper service, no valid lawsuit arises**.

The defendants failed to mail the summons and complaint within the 20 days required, the court lack jurisdiction over

me pursuant to CPLR 308(4), this is a jurisdictional defect and insufficient notice of the lawsuit and violation of my due process to be properly notify of the lawsuit. **dismiss the foreclosure action pursuant to 12(B)(1) 12(B)(2) 12(B)(4) 12(B)(5) CPLR 308(4)**, This is a void judgment on it's face.

This court is obliged to construe **pro se** pleading liberally and interpret them to raise the strongest that they suggest.

Chief judge, there is no reason not to grant this motion on void judgment, **Lack of Jurisdiction**. This is a independent action from the court judgment. Because this is a void judgment res judicata does not apply, anyway this is new motion.

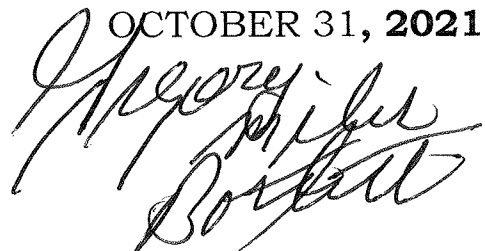
This court can clearly by those 4 exhibits, that this is a **void judgment**. **DA-14 DA-26 DA-27 DA-28,**

Judgment is a Void judgment if court that rendered judgment lacks jurisdiction of the parties or of subject matter jurisdiction or acted in a manner inconsistent with due process. **Fed. Rule Civ. P roc, Rule 60(b)(4) 28 U.S.A. U.S.C.A. CONST.**

Gregory Miles Bartlett/Pro Se.

Faith that Conquer

OCTOBER 31, 2021

A handwritten signature in black ink, appearing to read "Gregory Miles Bartlett", written over the date.

7/10/13

Minutes

DA-14

DA-14

INDEX NO.: 105275-2007
 PLAINTIFF: TRIBECA LENDING CORP.
 DEFENDANT: BARTLETT, GREGORY M.
 CASE STATUS: DISPOSED
 ACTION: FORECLOSURE
 LAST UPDATE: 07-10-2013 10:00AM
 JUSTICE: SCARPULLA, SALIANN

Home / SCROLL / COUNTY CLERK MINUTES

DATE	DOCUMENT TYPE
04-19-2007	SUMMONS AND COMPLAINT
04-27-2007	AFFIDAVIT OF SERVICE (2)
05-17-2007	AFFIDAVIT OF SERVICE
06-14-2007	ANSWER
01-07-2008	ORDER IAS PART 4 SEQ 01 ORDER SIGNED
02-27-2008	NOTICE OF ENTRY
09-10-2008	JUDGMENT - SD 09-11-2008
10-06-2008	AFFIRMATION OF COMPLIANCE
10-22-2008	NOTICE OF ENTRY
11-14-2008	NOTICE OF SALE
12-18-2008	SHORT FORM ORDER IAS PART 4 SEQ 03
02-17-2009	ORDER IAS PART 19 SEQ 003 MOTION DENIED
02-18-2009	NOTICE OF SALE
08-18-2009	ORDER IAS PART 19 SEQ 004 MOTION GRANTED
09-01-2009	NOTICE OF APPEAL # 2328
09-28-2009	APPELLATE DIVISION RECEIPT
09-28-2009	COPY ORDER/NOTICE OF ENTRY
10-01-2009	NOTICE OF SALE
01-05-2010	NOTICE OF SALE
04-23-2010	SUBPEONA #707
08-05-2010	ORDER IAS PART 19 SEQ 05 IS DENIED
09-14-2010	ORDER TO SHOW CAUSE (COPY)
10-01-2010	ORDER IAS PART 19 SEQ 007 MOTION IS GRANTED.
04-13-2011	ORDER IAS PART 19 SEQ 006 MOTION IS DECIDED IN ACCORD WITH THE ACCOMP. MEMORANDUM DECISION.
05-16-2011	REMITTITUR
05-20-2011	NOTICE OF APPEAL # 1454
06-03-2011	APPELLATE DIVISION RECEIPT
06-15-2011	NOTICE OF ENTRY
12-19-2011	ORDER IAS PART 19 SEQ 008 MOTION IS DENIED.
02-02-2012	NOTICE OF ENTRY

10

EX 14

DA-26

SUPREME COURT OF THE STATE OF NEW YORK
County of NEW YORK

CASE # BARTLETT 0422
Date Received: 04/22/07

TRIBECA LENDING CORPORATION

Index # 07-105275

Plaintiff

Affidavit of Attempted
Service

against

GREGORY M. BARTLETT F/K/A GREGORY HILL, ET AL

Defendants

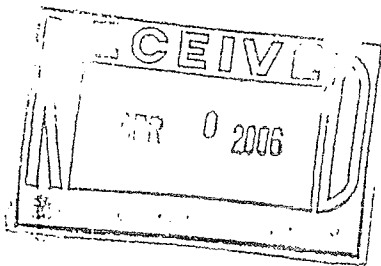
State of New York
County of Suffolk

ss:

HARRY TORRES being duly sworn, deposes and says:
that (s)he is over the age of 18 years, is not a party to the above action,
resides in the State of New York, and is employed as a Process Server
by SOLFERINO & SOLFERINO, L.L.P.
to serve a copy of the SUMMONS AND COMPLAINT
in the above action for personal service upon "JOHN DOE NUMBERS 1-5" AND "JANE D
OE NUMBERS 1-5"
at 16 WEST 130TH STREET NEW YORK NY 10037

Your deponent made proper and diligent effort to serve said process on
the above named person(s) by calling at the aforementioned address on the

25TH DAY OF APRIL 2007 AND FOUND SAID PREMISES, A 3 STORY
RED BRICK RESIDENCE WITH DOUBLE BROWN DOORS, TO BE VACANT.



Your deponent verily believes that he will be unable to effect personal
service upon the above named person(s) herein, although your Deponent
made due and diligent effort to effect same.

Sworn to before me on 4/27/07

Marci Young
NOTARY

MARCI YOUNG
Notary Public, State of New York
No. 01YO6140147
Qualified in Suffolk County
Commission Expires January 23, 2010

HARRY TORRES
HARRY TORRES
LICENSE NO. 915257

Alstate Process Service Inc.

60 BURT DRIVE

DEER PARK, NEW YORK 11729

631/667-1800

DA-27

CASE # BARTLETT 0422

Date Received: 05/09/07

SUPREME COURT OF THE STATE OF NEW YORK

INDEX NO.: 07-105275

COUNTY OF NEW YORK

TRIBECA LENDING CORPORATION

Plaintiff(s)

against

GREGORY M. BARTLETT F/K/A GREGORY HILL, ET AL

Defendant(s)

AFFIDAVIT
OF
SERVICE

STATE OF NEW YORK, COUNTY OF SUFFOLK

HARRY TORRES

being duly sworn, deposes and says: that deponent is not a party

to this action, is over 18 years of age and resides in The State of New York

That on 05/12/07 7:39 AM at 16 WEST 130TH STREET NEW YORK NY 10037

deponent served the within SUMMONS AND COMPLAINT bearing Index# 07-105275 & filing date 04/19/07

on

GREGORY M. BARTLETT F/K/A GREGORY HILL

defendant therein named,

INDIVIDUAL

☐

by delivering thereat a true copy of each to said defendant personally; deponent knew said person so served to be the person described as said defendant therein. (S)He identified (her) himself as such.

CORPORATION

☐

a , by delivering thereat a true copy of each to personally; deponent knew said so served to be the described as the named defendant and knew said individual to be the thereof an authorized person to accept service of process

SUITABLE
AGE PERSON☐

by delivering thereat a true copy of each to a person of suitable age and discretion. That person was also asked by deponent whether said premises was the defendant's and the reply was affirmative.

AFFIXING TO
DOOR, ETC.☒

by affixing a true copy of each to the door of said premises, which is defendant's dwelling house within the state. Deponent was unable, with due diligence to find defendant or a person of suitable age and discretion thereat, having verified defendant's dwelling house with NEIGHBOR AT 14 W 130TH ST and having called there on

5/1005:43PM;5/1103:00PM;5/1207:39AM

RED BRICK RESIDENCE/DOUBLE BROWN DOORS

Additional RPAPL Section 1303 Notice Served Therewith

Mailed on 05/15/07 BY FIRST CLASS MAIL

MAILING

☒MAILED IN AN ENVELOPE MARKED PERSONAL & CONFIDENTIAL MAY 17 2007
On 05/15/07 deponent also enclosed a copy of same in a postpaid sealed wrapper properly addressed to defendant at defendant's dwelling house at 16 WEST 130TH STREET NEW YORK NY 10037 and deposited said wrapper in a post office of the United States Postal Service within New York State.

DESCRIPTION

Deponent describes the individual served to the best of deponent's ability at the time and circumstances of service as follows:

Sex	Skin Color	Hair Color	Age (Approx.)	Height (Approx.)	Weight (Approx.)

USE IN
NYC CIVIL CT.☐

Other identifying features:

The language required by NYCRR 2900.2(e), (f) & (h) was set forth on the face of said summons(es).

MILITARY
SERVICE☒

I asked the person spoken to whether defendant was in active military service of the United States or of the State of New York in any capacity whatever and received a negative reply.

The source of my information and the grounds of my belief are the conversations and observations above narrated.

Upon information and belief I aver that the defendant is not in the military service of New York State or of the United States as that term is defined in either the State or Federal statutes.

SWORN TO BEFORE ME ON 5/16/07



MARCI YOUNG
Notary Public, State of New York
No. 01Y06140147
Qualified in Suffolk County
Commission Expires January 23, 2010

HARRY TORRES

LICENSE NO. 915257

DA-28

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF RICHMOND

-----X
TRIBECA LENDING CORPORATION,

Index No.: 105275-07

Date Filed: 4-19-07

Plaintiff,

-against-

AFFIDAVIT OF SERVICE
CPLR § 3215(g)(3)(iii)

GREGORY M. BARTLETT f/k/a GREGORY
HILL; NYS DEPARTMENT OF TAXATION &
FINANCE; NYC PARKING VIOLATIONS BUREAU;
NYC ENVIRONMENTAL CONTROL BOARD,

Mortgaged Premises:
16 West 130th Street
New York, NY 10037

Defendants.
-----X

STATE OF NEW YORK, COUNTY OF NASSAU }ss.:

ROSEMARIE MISURACA, being duly sworn deposes and says as follows: I am not a party to the action, I am over 18 years of age and reside at Franklin Square, New York. On June 18, 2008, pursuant CPLR § 3215 (g)(3)(iii) I served the within **SUMMONS AND COMPLAINT** by enclosing a true copy thereof in a regular first class mail postage-paid wrapper marked "personal and confidential" and not indicating on the outside thereof that it was from an attorney or concerned an alleged debt, and depositing same in an official depository under the exclusive care and custody of the United States Postal Service within New York State, addressed to each of the following parties who are natural persons at their last known residence address and/or place of employment as set forth after each name:

GREGORY M. BARTLETT
Defendant Pro se
16 West 130th Street
New York, NY 10037

Based upon an examination of our file, no other person or party is entitled to service as provided herein.

Duly sworn to before me this
18th day of June, 2008


Rosemarie Misuraca


Notary Public

PETER C. KAITERIS
NOTARY PUBLIC, STATE OF NEW YORK
NO. 02KA6091665
QUALIFIED IN NASSAU COUNTY
COMMISSION EXPIRES: APRIL 28, 2010